

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

OTIS MYLES, Jr.,

Petitioner,

v.

Civil No. 07-CV-11751

HONORABLE PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

CINDI CURTIN,

Respondent,

/

**ORDER DIRECTING THE RESPONDENT TO PROVIDE ANOTHER COPY OF THE
ANSWER TO PETITIONER WITHIN FOURTEEN DAYS OF THIS ORDER AND
GRANTING PETITIONER AN EXTENSION OF TIME TO FILE A TRAVERSE OR
REPLY BRIEF TO THE RESPONDENT'S ANSWER.**

Before the Court is a letter from petitioner, which this Court construes as a motion for an extension of time to file a reply brief. In his motion, petitioner claims that he never received a copy of the respondent's answer and only learned that an answer was filed when this Court issued a Second Order Compelling Production of State Court Record.

The Court will order the respondent to provide another copy of its answer that was filed with this Court on October 24, 2007 [Dkt. Entry # 5] to petitioner within fourteen days of this order. The Court will give petitioner sixty days from the date that he receives a copy of the answer to file a traverse or reply brief to the respondent's answer. Rule 5(e) of the Rules Governing § 2254 Cases, 28 U.S.C. foll. § 2254 states that a habeas petitioner "may submit a reply to the respondent's answer or other pleading within a time fixed by the judge." *See Baysdell v. Howes*, 2005 WL 1838443, * 4 (E.D. Mich. August 1, 2005).

IT IS HEREBY ORDERED That Respondent shall serve another copy of its answer upon

petitioner within fourteen days of this Court's order.

IT IS FURTHER ORDERED that petitioner shall have **sixty days** from the date that he receives a copy of the respondent's answer to file a traverse or reply brief.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: February 14, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on February 14, 2008.

s/Denise Goodine
Case Manager